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7 ESPERANZA CORRAL, et al.,
8 Plaintiffs,
9 v.
10 BANK OF AMERICA, N.A., et al.,
11 Defendants.
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Case No. [16-cv-00964-EMC](#)

ORDER TO SHOW CAUSE

Docket Nos. 20, 23

13 Plaintiffs Esperanza Corral and Diana Balgas filed the instant suit against Defendants Bank
14 of America, N.A., Countrywide Home Loans, Nationstar Mortgage LLC, Wells Fargo Bank, N.A.,
15 and J.P. Morgan Chase Bank, N.A. Docket No. 1. (Compl.) Plaintiffs assert that Defendants
16 violated the Fair Housing Act, Equal Opportunity Credit Act, California Fair Employment and
17 Housing Act, California Business and Professions Code § 17200 *et seq.*, and the California Unruh
18 Civil Rights Act by “willfully denying them sustainable home mortgage loan modifications due to
19 their being a female, same-sex couple of Latina descent.” *Id.* at ¶ 1; *see also id.* at ¶¶ 25-56.
20 Plaintiffs also filed an action in state court predicated on similar factual allegations and asserting
21 identical causes of action, and the Bank of America Defendants and Chase filed separate notices of
22 removal. Case Nos. 16-cv-2215, 16-cv-2235. The three cases have since been consolidated.
23 Docket No. 29.

24 Currently pending before the Court are four motions to dismiss. Docket Nos. 20 (Chase
25 Motion to Dismiss), 23 (Bank of America Motion to Dismiss); Case No. 16-cv-2215, Docket No.
26 10 (Bank of America Motion to Dismiss); Case No. 16-cv-2235, Docket No. 6 (Chase Motion to
27 Dismiss). Plaintiffs’ oppositions to the motion to dismiss were due on May 18, 2016 in the instant
28 case and Case No. 16-cv-2215, and May 16, 2016 in Case No. 16-cv-2235. No opposition has

1 been filed in response to any of the motions to dismiss.

2 Accordingly, the Court hereby **VACATES** the June 21, 2016 hearing on Defendants' four
3 motions to dismiss. Plaintiffs are hereby ordered to show cause as to why their complaints should
4 not be dismissed, with prejudice, for failure to oppose and/or failure to prosecute. Plaintiffs shall
5 also address, in their response to this order to show cause, the substantive arguments raised by
6 Defendants in their respective motions.

7 **Plaintiffs' response shall be filed within two weeks of the date of this order.** Plaintiffs
8 are forewarned that a failure to timely file a response to this order to show cause shall result in
9 dismissal of their cases with prejudice.

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IT IS SO ORDERED.

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Dated: May 24, 2016

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EDWARD M. CHEN
United States District Judge

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